



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, NOVEMBER 10, 2011**

**Invocation:** The Rev. Merrill Wade, Rector, St. Matthew's Episcopal Church

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, November 10, 2011 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Leffingwell called the Council Meeting to order at 10:08 a.m.**

**CONSENT AGENDA**

1. Approve the minutes of the Austin City Council work session of November 1, 2011 and regular meeting of November 3, 2011.  
**The minutes from the work session of November 1, 2011 and regular meeting of November 3, 2011 were approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
2. Approve an ordinance authorizing acceptance of \$600,000 in American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Energy (DOE) through the Texas Department of Housing and Community Affairs (TDHCA) as the administering agency, and amending the Fiscal Year 2011-2012 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 201110912-005 to appropriate \$600,000 for weatherization of homes for low-income, elderly, and disabled customers within Austin Energy's service area. Related to item #56.  
**This item was postponed to December 8, 2011 on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
3. Authorize negotiation and execution of an agreement to purchase the Lower Colorado River Authority's Glenlake Water System in an amount not to exceed \$1,994,000. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the negotiation and execution of an agreement to purchase the Lower Colorado River Authority's Glenlake Water System was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 4 was pulled for discussion.**

5. Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX for the Walnut Creek-Outfall Bank Erosion Phase II Project, in the amount of \$1,260,662.20, plus a \$63,000 contingency, for a total contract amount not to exceed \$1,323,662.20.

**The motion authorizing the execution of a construction contract with Austin Filter Systems, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

6. Authorize execution of a construction contract with ADVANTAGE USAA, INC., Spring Branch, TX for the Webberville Service Center Roof Improvements 2011 project in the amount of \$290,000 plus a \$14,500 contingency, for a total contract amount not to exceed \$304,500.

**The motion authorizing the execution of a construction contract with Advantage USAA, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 7 was pulled for discussion.**

8. Authorize execution of change order #5 to the construction contract with McLEAN CONSTRUCTION, LTD., Killeen TX for the Blunn Creek - Long Bow Storm Drain Improvements in the amount of \$90,000, for a total contract amount not to exceed \$3,458,446.40.

**The motion authorizing the execution of change order number five to the construction contract with McLean Construction, LTD was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

9. Authorize negotiation and execution of Amendment No. 2-A to the Design-Build Agreement with CHASCO CONSTRUCTORS, LTD., L.L.P., Round Rock, TX for a Guaranteed Maximum Price for the Deep Eddy Work Package of the PARD Aquatics Facilities Improvements project, in the amount of \$1,987,165 plus a \$50,000 Owner contingency, for a total amendment not to exceed of \$2,037,165.

**The motion authorizing the negotiation and execution of amendment number two-A to the Design-Build Agreement with Chasco Constructors, LTD., L.L.P. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

10. Authorize negotiation and execution of professional services agreements with the following three (3) staff recommended firms (or one of the other qualified responders): CORGAN ASSOCIATES, INC., Dallas, TX; R.W. ARMSTRONG & ASSOCIATES, INC., Austin, TX; and REYNOLDS, SMITH AND HILLS, INC., Austin, TX for Professional Services for the 2012 Austin-Bergstrom International Airport (ABIA) Architectural and Engineering Services Rotation List for a period of two years or until financial authorization is expended, with a total amount not to exceed \$7,500,000 divided among the 3 firms.

**The motion authorizing the negotiation and execution of professional services agreements with Corgan Associates, Inc.; R.W. Armstrong & Associates, Inc.; and Reynolds, Smith and Hills, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 11 was pulled for discussion.**

12. Approve a resolution adopting the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 2012-2013. Related to items 11 & 74.

**Resolution No. 20111110-012 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 13 through 15 were pulled for discussion.**

16. Approve an ordinance authorizing acceptance of \$15,312 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Infectious Disease Intervention and Control Branch; and amending the Fiscal Year 2011-2012 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) by appropriating \$15,312 for the Refugee Health Screening Program to provide refugee health screening.

**Ordinance No. 20111110-016 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 17 was pulled for discussion.**

18. Authorize negotiation and execution of Amendment No. 5 to a social services contract with LEADERSHIP ENRICHMENT ARTS PROGRAM for youth enrichment and leadership services for a six-month term beginning October 1, 2011 through March 31, 2012, in an amount not to exceed \$16,068 for a total agreement amount not to exceed \$112,479.

**This item was withdrawn on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

19. Authorize negotiation and execution of a contract with SICKLE CELL ANEMIA ASSOCIATION OF AUSTIN, MARC THOMAS CHAPTER, for the provision of services to clients with sickle cell disease, their families, and at-risk populations, for a 12-month term beginning October 1, 2011, in an amount not to exceed \$32,241, with three 12-month renewal options, each in an amount not to exceed \$32,241, for a total contract amount not to exceed \$128,964.

**The motion authorizing the negotiation and execution of a contract with Sickle Cell Anemia Association of Austin, Marc Thomas Chapter, was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

20. Authorize negotiation and execution of an amendment to a legal services agreement with Akin Gump Strauss Hauer & Feld, LLP, for services relating to Austin Energy wind power purchase agreements in the amount of \$52,000, for a total contract amount not to exceed \$104,000.

**The motion authorizing the negotiation and execution of an amendment to a legal services agreement with Akin Gump Strauss Hauer & Feld LLP was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

21. Approve a resolution adopting ethical and training standards for juvenile case managers employed by the City of Austin's Municipal Court, providing for implementation of the standards, and providing for periodic review to ensure implementation of the standards.

**Resolution No. 20111110-021 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 22 was pulled to be heard after the related Exec item.**

23. Authorize the negotiation and execution of a month-to-month lease renewal with funding authorization for up to twelve months, for up to 125 parking spaces for employees of the Faulk Central Library and the Austin History Center of the Austin Public Library Department, located at 800 Lavaca, with TRAVIS COUNTY in an amount not to exceed \$150,000.

**This item was postponed to December 8, 2011 on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

24. Authorize the negotiation and execution of all documents and instruments necessary or desirable to sell approximately 1,194 square feet of land located between 2212 and 2214 Toulouse Lane in Austin, Travis County, Texas, to adjacent land owners NELISA AND DEAN HEDDIN. The City of Austin acquired the subject parcel through the annexation of the Tanglewood Forest Municipal Utility District in 1997. The parcel will be sold through a Deed Without Warranty for \$4,021.

**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to sell approximately 1,194 square feet of land was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

25. Approve an ordinance on second and third readings amending the Austin Tomorrow Comprehensive Plan by adopting the Downtown Austin Plan, directing the City Manager to process code amendments recommended in the Downtown Austin Plan, and initiating re-zonings of properties as recommended in the Downtown Austin Plan. The planning area includes properties bounded approximately by Interstate 35 to the east, the west side of Lamar Blvd. to the west, Lady Bird Lake to the south and Martin Luther King Jr. Blvd. to the north.  
**This item was postponed to December 8, 2011 on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
26. Approve an ordinance accepting \$221,002 in grant funds from the U.S. Department of Justice, National Institute of Justice, Bulletproof Vest Partnership, and amending the Fiscal Year 2011-2012 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) to appropriate \$221,002 for the Austin Police Department project entitled APD Bulletproof Vest Partnership.  
**Ordinance No. 20111110-026 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
27. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement and any related documents between the City of Austin and the Texas Department of Transportation for award of \$10,200 in Traffic Safety Funds to purchase, assemble and distribute bicycle lights to increase public information and education efforts on bicycle safety, accepting grant funds in the amount of \$10,200 from Texas Department of Transportation; amending the Fiscal Year 2011-2012 Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20110912-005) to appropriate \$10,200; and amending the Public Works Department Capital Budget (Ordinance No. 20110912-006) to transfer in and appropriate \$10,200 from the Public Works Department Operating Budget Special Revenue Fund.  
**Ordinance No. 20111110-027 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
28. Approve ratification of a contract with FSTI, INC., Austin, TX for an emergency purchase of bulk liquid chlorine for the Austin Water Utility (AWU) for a total contract amount not to exceed \$162,000. Recommended by the Water and Wastewater Commission.  
**The motion to ratify a contract with FSTI, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
29. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SAN ANTONIO AMBULANCE SALES, San Antonio, TX, for the purchase of five ambulances in an amount not to exceed \$811,260.  
**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative with San Antonio Ambulance Sales was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
30. Authorize award and execution of a contract through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC) with NATIONAL BUS SALES & LEASING, INC., Marietta, GA for the purchase of ten new passenger shuttle-buses for the Austin Bergstrom International Airport in an amount not to exceed \$819,387.20.  
**The motion authorizing the award and execution of a contract through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program with National Bus Sales & Leasing, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
31. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SIDDONS FIRE APPARATUS, INC., Manor, TX, for the purchase of three triple-combination pumper fire-trucks and one platform quint fire-truck in an amount not to exceed \$2,337,638.

**The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Siddons Fire Apparatus, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

32. Authorize award and execution of Amendment No. 1 to a contract with CAPITOL SCIENTIFIC INC., dba CAP - Austin, Austin, TX, for forensic chemistry supplies to extend the contract for two 12-month extension options in an amount not to exceed \$40,617 per extension option, for a revised total estimated contract amount not to exceed \$162,468.

**The motion authorizing the award and execution of amendment number one to a contract with Capitol Scientific Inc., doing business as CAP - Austin, was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

33. Authorize award and execution of a 36-month requirements supply contract with HORIBA JOBIN YVON INC., Edison, NJ, SIRCHIE ACQUISITION COMPANY LLC, Youngsville, NC, and TRI-TECH INC., Southport, NC to provide forensic supplies in an estimated amount not to exceed \$184,576 each and combined, with three 12-month extension options in estimated amounts not to exceed \$74,221 each and combined for the first extension option, \$81,643 each and combined for the second extension option, and \$89,807 each and combined for the third extension option, for a total estimated contract amount not to exceed \$430,247 each and combined.

**The motion authorizing the award and execution of a requirements supply contract with Horiba Jobin Yvon Inc.; Sirchie Acquisition Company LLC; and Trittech Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

34. Authorize award and execution of Amendment No. 1 to a contract with PROFESSIONALS CHOICE DIRECT MARKETING, dba PETEDGE, Beverly, MA for the purchase of pet supplies for the Town Lake Animal Center to extend the contract for one 12-month period in an amount not to exceed \$26,165, with two additional 12-month extension options in an amount not to exceed \$26,165 per option, for a revised total estimated contract amount not to exceed \$156,990.

**The motion authorizing the award and execution of amendment number one to a contract with Professionals Choice Direct Marketing, doing business as Petedge, was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

35. Authorize award and execution of a 36-month requirements supply contract with LAW ENFORCEMENT TARGETS, INC., Blaine, MN to provide police targets and target backers in an estimated amount not to exceed \$66,077, with three 12-month extension options in estimated amounts not to exceed \$24,264 for the first extension option, \$25,478 for the second extension option, and \$26,751 for the third extension option, for a total estimated contract amount not to exceed \$142,570.

**The motion authorizing the award and execution of a requirements supply contract with Law Enforcement Targets, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

36. Authorize award and execution of Amendment No. 15 to an interlocal agreement with TEXAS DEPARTMENT OF MOTOR VEHICLES, Austin, TX, for access to vehicle ownership information in an estimated amount not to exceed \$10,000 per year, and the authorization to make payments, as appropriate, in subsequent years in an amount not to exceed \$10,000 per year.

**The motion authorizing the award and execution of amendment number 15 to an interlocal agreement with Texas Department of Motor Vehicles was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

37. Authorize award and execution of a 36-month requirements supply contract with SIRCHIE ACQUISITION COMPANY LLC, dba SIRCHIE FINGER PRINT LABORATORIES, Youngsville, NC to provide sexual assault evidence kits in an estimated amount not to exceed \$69,510, with three 12-month extension options in estimated amounts not to exceed \$27,951 for the first extension option,

\$30,747 for the second extension option, and \$33,821 for the third extension option for a total estimated contract amount not to exceed \$162,029.

**The motion authorizing the award and execution of a requirements supply contract with Sirchie Acquisition Company LLC, doing business as Sirchie Fingerprint Laboratories was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

38. Authorize award, negotiation, and execution of a 12-month service agreement contract with TOWERS WATSON PENNSYLVANIA INC (TOWERS WATSON), Austin, TX or one of the other qualified proposers to RFP JSD0110 to provide actuarial and consulting services for the Human Resources Department's Employee Benefits Program in an estimated contract amount not to exceed \$563,000 with five one-year extension options in estimated amounts not to exceed \$540,000, \$533,000, \$546,000, \$618,000, and \$639,000 per extension option respectively, for a total estimated contract amount not to exceed \$3,439,000.

**The motion authorizing the award, negotiation and execution of a service agreement contract with Towers Watson Pennsylvania Inc. (Towers Watson) was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

39. Authorize award and execution of Amendment No. 1 to a contract with FLINTCO INC., Austin, TX, to increase the contract amount for foundation redesign services of a thermal energy storage tank in an amount not to exceed \$107,584, for a revised total estimated contract amount not to exceed \$644,584.

**The motion authorizing the award and execution of amendment number one to a contract with Flintco Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 40 was pulled for discussion.**

41. Approve ratification of Amendment No. 13 to the 12-month requirements service contract with ASPLUNDH TREE EXPERT CO, Corpus Christi, TX for transmission utility line clearance services for Austin Energy to increase the current amount of the contract in an estimated amount not to exceed \$290,000, for a revised estimated contract amount not to exceed \$7,872,229.

**The motion to ratify amendment number 13 to the requirements service contract with Asplundh Tree Expert Co. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

42. Authorize award, negotiation, and execution of a 36-month agreement with one, 24-month extension with CAR2GO, N.A., LLC, Austin, TX and ZIPCAR, INC., Cambridge MA, to provide a membership-based car sharing service at no cost to the City.

**The motion authorizing the award, negotiation and execution of an agreement with Car2go, N.A., LLC and Zipcar, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

43. Authorize award and execution of a 36-month requirements supply contract with BADGER METER, INC., Milwaukee, WI for the purchase of various types and sizes of water meters for the Austin Water Utility in an estimated amount not to exceed \$665,122, with two 12-month extension options in an estimated amount not to exceed \$221,707 per extension option, for a total estimated contract amount not to exceed \$1,108,538, and with MUELLER SYSTEMS, INC., Cleveland, NC in an estimated amount not to exceed \$1,724,434, with two 12-month extension options in an estimated amount not to exceed \$574,811 per extension option, for a total estimated contract amount not to exceed \$2,874,058. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award and execution of a requirements supply contract with Badger Meter, Inc. and Mueller Systems, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

44. Authorize award and execution of a 36-month requirements supply contract with TECHLINE PIPE, Hutto, Texas, for the purchase of gate valves for the Austin Water Utility in an estimated amount not to exceed \$61,949.46, with three 12-month extension options in an estimated amount not to exceed \$20,649.82 per extension option, for a total estimated contract amount not to exceed \$123,898.92. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the award and execution of a requirements supply contract with Techline Pipe was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
45. Authorize award and execution of Amendment No. 2 to a contract with HD SUPPLY WATERWORKS, Round Rock, TX, for air release valves for the Austin Water Utility, to extend the contract for one 12-month period in an estimated amount not to exceed \$30,000 with one additional 12-month extension option in an estimated amount not to exceed \$30,000, for a revised total estimated amount not to exceed \$139,485. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the award and execution of amendment number two to a contract with HD Supply Waterworks was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
46. Authorize award and execution of a 36-month requirements service contract with SOUTHWASTE DISPOSAL, LLC, Pflugerville, TX, to provide emergency response for sludge and sewage pumping, hauling, and disposal services for the Austin Water Utility in an estimated amount not to exceed \$1,200,000, with three 12-month extension options in an estimated amount not to exceed \$400,000 per extension option, for a total estimated contract amount not to exceed \$2,400,000. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the award and execution of a requirements service contract with Southwaste Disposal, LLC was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
47. Authorize award and execution of a contract with WATERS TECHNOLOGIES CORPORATION, Milford, MA, for the purchase of an Ultra Performance Liquid Chromatograph-Mass Spectrometer Instrument for the Austin Police Department in an amount not to exceed \$185,000.  
**The motion authorizing the award and execution of a contract with Waters Technologies Corporation was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
48. Authorize award and execution of a 36-month requirements supply contract with AAA FIRE & SAFETY EQUIPMENT CO., INC., Austin, TX for the purchase of fire hoses and fire hydrant upper barrels for the Austin Water Utility in an estimated amount not to exceed \$934,713, with three 12-month extension options in an estimated amount not to exceed \$311,571 per extension option, for a total estimated contract amount not to exceed \$1,869,427. Recommended by the Water and Wastewater Commission.  
**The motion authorizing the award and execution of a requirements supply contract with AAA Fire & Safety Equipment Co., Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
49. Authorize award and execution of a contract with HUMBLE EQUIPMENT CO., INC., Ruston, LA for runway texturing services for the Austin-Bergstrom International Airport in an amount not to exceed \$95,400.  
**The motion authorizing the award and execution of a contract with Humble Equipment Co., Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
50. Authorize award and execution of Amendment No. 2 to a contract with TEXAS EXCAVATION SAFETY SYSTEM, Dallas, TX, for services of a call center to notify the Watershed Protection

Department before excavation near its lines to extend the contract for one 12-month period in an estimated amount not to exceed \$14,000, with one additional 12-month extension option in an estimated amount not to exceed \$14,000, for a total revised contract amount not to exceed \$84,000.

**The motion authorizing the award and execution of amendment number two to a contract with Texas Excavation Safety System was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

51. Authorize award and execution of Amendment No. 2 to a contract with TAS ENVIRONMENTAL SERVICES L.P., Ft. Worth, TX, for disposal and destruction of hazardous chemicals and materials to extend the contract for one 12-month extension option in an amount not to exceed \$15,999, for a revised total estimated contract amount not to exceed \$63,996.

**The motion authorizing the award and execution of amendment number two to a contract with TAS Environmental Services L.P. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 52 and 53 were pulled for discussion.**

54. Authorize award and execution of a contract with SARTIN SERVICES, INC., High Point, NC for the purchase of one medical ambulance bus in an amount not to exceed \$386,326.33.

**The motion authorizing the award and execution of a contract with Sartin Services, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

55. Authorize award, negotiation, and execution of a 12-month contract with INFOR GLOBAL SOLUTIONS, INC. for the purchase of Infor/Hansen and Infor/EAM software maintenance, support, services, future licenses and training in an amount not to exceed \$808,193, with four extension options in an estimated amount not to exceed \$887,737 for the first option, \$864,107 for the second option, \$610,822 for the third option and \$464,273 for the fourth option for a total estimated contract amount not to exceed \$3,635,132. The not-to-exceed amount for each year includes a 15 % contingency. Recommended by the Water and Wastewater Commission.

**The motion authorizing the award, negotiation and execution of a contract with Infor Global Solutions, Inc. was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

56. Authorize award, negotiation and execution of Amendment No. 4 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization test in audit services in an estimated combined amount not to exceed \$144,151, for a revised estimated combined contract amount not to exceed \$922,500. Related to item #2.

**This item was postponed to December 8, 2011 on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

57. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Anderson Mill Road from RM 620 to 575 feet east of Morris Road.

**Ordinance No. 20111110-057 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

58. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Center Ridge Drive from IH 35 East Frontage Road to McCallen Pass.



**Ordinance No. 20111110-058 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

59. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Canyon Ridge Drive from IH 35 (North) East Frontage Road to Tech Ridge Boulevard.

**Ordinance No. 20111110-059 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

60. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Center Line Pass from Center Ridge Drive to Howard Lane.

**Ordinance No. 20111110-060 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

61. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 40 miles per hour on Balcones Drive from North Hills Drive to Northland Drive (RM 2222).

**Ordinance No. 20111110-061 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

62. Approve an ordinance to amend Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 45 miles per hour on Wells Branch Parkway from FM 1825 to 155 feet east of Heatherwilde Boulevard (45 mph).

**Ordinance No. 20111110-062 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

63. Approve an ordinance amending Section 12-4-64 (D) of the City Code to modify speed limits on RM 2222.

**Ordinance No. 20111110-063 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

64. Approve waiver of the certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closure under City Code Chapter 14-8 for the Livestrong Austin Marathon and Half Marathon, to be held on Sunday, February 19, 2012, between 3:00 a.m. and 5:00 p.m.

**The motion to approve the waiver of certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closure for the Livestrong Austin Marathon and Half Marathon was approved on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

65. Approve a resolution authorizing the negotiation and execution of an Advance Funding Agreement between the City of Austin and the Texas Department of Transportation (TxDOT) approving the payment of \$400,000 from the City to TxDOT for construction costs related to intersection improvements at RM 620 and RM 2222.

**Resolution No. 20111110-065 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

66. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

**The following appointments were approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Board/Nominee**

**Nominated by**

Board of Adjustment

Stuart Hampton (alternate)

Mayor Leffingwell

Bond Election Advisory Task Force

Rodney Ahart

Jeb Boyt

Griffin Davis

Frank Fernandez

Linda Guerrero

Alfonso Hernandez (representative Planning Commission)

Celia Israel

Jennifer Kim

Jennifer McPhail

Terry Mitchell

Leslie Pool

Tom Spencer

Mayor Pro Tem Cole

Council Member Riley

Mayor Pro Tem Cole

Council Member Martinez

Council Member Morrison

Planning Commission

Council Member Martinez

Mayor Leffingwell

Council Member Riley

Mayor Leffingwell

Council Member Tovo

Council Member Morrison

Downtown Commission

Tina Fernandez

Council Member Spelman

Urban Renewal Board

Joe Babb

Gary Smith

Mayor Leffingwell

Mayor Leffingwell

67. Approve an ordinance waiving certain fees under City Code Chapter 10-3-64 for the Edible Austin Eat Drink Local Week Local Food Holiday Gift Fair sponsored by Edible Austin which is to be held on Wednesday, December 7, 2011 at the Domain II. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)

**Ordinance No. 20111110-067 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

68. Approve a resolution directing the City Manager to work with Central Texas Bee Rescue, relevant City departments and community stakeholders to identify those elements in the City code of ordinances which may result in furthering the decline of honeybees and recommend to Council code amendments within 45 days. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)

**Resolution No. 20111110-068 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 69 was pulled for discussion.**

70. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the Dell Children's Gala 2012 which is to be held on Saturday, January 28, 2012 at the Austin Convention Center. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Lee Leffingwell CO 2: Council Member Mike Martinez)

**The motion to approve the waiver of certain fees and requirements for the Dell Children's Gala 2012 was approved on consent on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

71. Set a public hearing to consider a resolution approving the use of approximately 600 square feet for permanent sidewalk purposes and approximately 2,200 square feet for temporary workspace purposes in connection with the construction, use, maintenance, repair, and replacement of a sidewalk that is a portion of the Group 10 ADA Sidewalk Improvements - Brodie Lane Project through a dedicated scientific area that is part of the Austin Water Utility's Water Quality Protection Lands known as Lot 7, Block "A",

Mission Bethany Subdivision, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

**The public hearing was set on consent for December 8, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

72. Set a public hearing to consider a request by The Market on Collier, located at 1700 South Lamar Blvd, Suite 230, for a waiver from the distance requirement of City Code Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a church. (Suggested date and time: December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second St., Austin, TX.)

**The public hearing was set on consent for December 8, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 73 was pulled for discussion.**

74. Set a public hearing on the Austin Downtown Public Improvement District (PID) 2012 assessments. (Suggested date and time: December 8, 2011, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items 11 & 12.

**The public hearing was set on consent for December 8, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

75. Set a public hearing to consider the use of approximately 31,861 square feet temporary access route for the decommissioning and demolition of the Holly Street Power Plant (CIP ID 7718.001) through dedicated parkland known as Metz Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, December 8, 2011 at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

**The public hearing was set on consent for December 8, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

76. Set a public hearing to consider an ordinance amending the GreenChoice(r) Energy Rider in Ordinance No. 20110912-007 to extend the Batch 6 subscription expiration date to December 31, 2021. (Suggested date and time: December 8, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for December 8, 2011 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

Items 77 and 78 were briefing items set for 10:30 a.m.

Items 79 through 82 were Executive Session items.

Items 83 through 102 were zoning items set for 2:00 p.m.

Items 103 through 107 were public hearing items set for 4:00 p.m.

**DISCUSSION ITEMS**

4. Authorize execution of a construction contract with PRUDENT TECHNOLOGIES, INC. DBA PRUDENT CONSTRUCTION SERVICES, INC., San Antonio, TX for Loop 360 Landfill Remediation

in the amount of \$1,146,768 plus a \$114,676 contingency, for a total contract amount not to exceed \$1,261,444.

**The motion authorizing the execution of a construction contract with Prudent Technologies, Inc., doing business as Prudent Construction Services, Inc., was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.**

### **BRIEFINGS**

78. Presentation by ETC Institute on the results of the 2011 City of Austin Survey.  
**The presentation was made by Ed Van Eenoo, Budget Officer, and Christopher Tatham, Vice President of ETC Institute.**

### **DISCUSSION ITEMS CONTINUED**

7. Authorize execution of a construction contract with G. HYATT CONSTRUCTION, INC., Austin, TX, for the McBeth Recreation Center Main Building Interior Remodel and HVAC Improvements project in the amount of \$314,000 plus a \$15,700 contingency, for a total contract amount not to exceed \$329,700.  
**The motion authorizing the execution of a construction contract with G. Hyatt Construction, Inc. was approved on Council Member Tovo's motion, Council Member Spelman's second on a 7-0 vote.**

### **CITIZEN COMMUNICATIONS: GENERAL**

Dr. Laura Pressley - The dangers of fluoridation. **Not present when name was called.**

Darcy Bloom - Fluoridation Nation

Velia Urrutia - Carport for 11/15 Austin Highlands Boulevard

Jim Wittliff - Carport for 11/15 Austin Highlands Boulevard

Jeremiah Duke - Valet parking **Not present when name was called.**

Anthony Walker - TBD

BABS KELLEY WARREN - The poisons in our water (drinking water, swimming water and water skiing water). Your children & grandchildren are going to pay for your lack of motivation to eliminate poisons from our water.

Angela Williamston - Cultural Arts Department discrimination issues

Heather Fazio - Airport security

Chris Self - Utility bill-reduction of printing costs **Not present when name was called.**

**Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:32 p.m.**

### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda**

**The Mayor announced that Council would discuss item number 53 on the regular agenda during Executive Session**

- 79. Discuss legal issues related to Open Government matters (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- 80. Discuss legal issues related to construction of the Turner Roberts Recreation Center (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- 81. Discuss legal issues related to Austin Lifecare, Inc. v City of Austin et al. Cause No. 1:11-CV-875-LY & Roman Catholic Diocese of Austin, et al. v City of Austin et al. Cause No. 1:11-CV-00876-LY; In the U.S. District Court - Western District of Texas (Austin Division) (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

**This item was discussed during the November 8, 2011 Work Session.**

- 82. Discuss legal issues related to City of Austin v. Trudy's Texas Star, Inc., d/b/a South Congress Cafe, Cause No. D-1-GV-05-004526, In the 201st Judicial District Court of Travis County, Texas (private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

**Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 3:30 p.m.**

**BRIEFINGS**

- 77. Austin Resource Recovery Master Plan briefing.  
**The briefing was made by Bob Gedert, Director of Austin Resource Recovery.**

**ZONING CONSENT ITEMS (HEARINGS CLOSED)**

**The following zoning items were acted on by one motion. No separate action occurred on any of the items.**

- 83. C14-2011-0049 - Pioneer Hill - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9900-10324 Dessau Road (Lake Creek Watershed) from traditional neighborhood district (TND) zoning to multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning for Tract 1, townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning for Tract 3, community commercial-conditional overlay (GR-CO) combining district zoning for Tract 4, and limited industrial service-conditional overlay (LI-CO) combining district zoning for Tracts 5A and 5B, with conditions. First Reading approved with conditions on August 4, 2011. Vote: 7-0. Second Reading approved with additional conditions on September 22, 2011. Vote: 5-0, Council Members Martinez and Spelman-off the dais. Owner/Applicant: Continental Homes of Texas, LP/D.R. Horton (Richard N. Maier); Estate of Fred Morse (Scott Morse). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

**This item was postponed on consent to December 8, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

- 84. C14-2011-0110 -Parmer Lane Luxury Apartments - Approve second and third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 5922 1/2 Parmer Lane (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to multi-family residence-moderate-high density (MF-4) district zoning. On November 3, 2011, the City Council approved 1st reading of multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district, zoning, with additional conditions. Vote: 7-0. Owner/Applicant: Robinson Land

Limited Partnership, Et Al (John Oscar Robinson). Agent: Bury & Partners, Inc. (Megan Wanek). City Staff: Sherri Sirwaitis, 974-3057.

**Ordinance No. 20111110-084 for multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district, zoning, with additional conditions was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0.**

### **ZONING CONSENT ITEMS (PUBLIC HEARINGS)**

**The following zoning items were acted on by one motion. No separate action occurred on any of the items.**

85. NPA-2011-0008.01 - 2935 MLK- Conduct a public hearing and approve an ordinance amending Ordinance No. 20011129-67, the Rosewood Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2935 East Martin Luther King, Jr. Boulevard (Boggy Creek Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Noble Capital, L.L.C. Agent: Grady E. Collins. City Staff: Maureen Meredith, 974-2695.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20111110-085 to change the land use designation on the future land use map (FLUM) to Mixed Use was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

86. C14-2011-0084 - Noble Capital LLC - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2935 East Martin Luther King, Jr. Boulevard (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Applicant: Noble Capital Servicing, LLC (Jordan Newman). Agent: Noble Capital Servicing, LLC (Minka Anderson). City Staff: Stephen Rye, 974-7604.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20111110-086 for neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

87. NPA-2011-0019.01 - Helms Condominiums - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 201 East 34th Street and 3307 Helms Street (Waller Creek Watershed) from Single Family Use to Higher-Density Single Family land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 13, 2011. Applicant/Owner: Zed Bozorgmehr, Valerie Bauhofer & John White. Agent: Douglas Gibbins. City Staff: Maureen Meredith, 974-2695.

**This item was withdrawn on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

88. C14-2011-0016 - Helms Condominiums - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 201 East 34th Street and 3307 Helms Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence small lot-neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be

reviewed on December 13, 2011. Applicant: Farzad Bozorgmehr. Agent: Douglas Gibbins. City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to January 12, 2012 at the staff's request on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

89. NPA-2011-0019.02 - 3208 Red River - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3208 Red River Street (Waller Creek Watershed) from Mixed Use/Office to Mixed Use land use. Staff Recommendation: To grant the change in the FLUM to Mixed Use. Planning Commission Recommendation: To grant the change in the FLUM to Mixed Use. Applicant/Owner: River Holdings, L.T.D. (Gerald Kucera). Agent: Metcalfe Williams, L.L.P. (Michele Rogerson Lynch). City Staff: Maureen Meredith, 974-2695.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to Mixed Use was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

90. C14-2011-0101 - 3208 Red River - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3208 Red River Street (Waller Creek Watershed) from general office-mixed use- conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial, mixed use, conditional overlay, neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant: River Holdings, Ltd. (Gerald Kucera). Agent: Metcalfe Williams, L.L.P. (Michele Rogerson Lynch). City Staff: Clark Patterson, 974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial, mixed use, conditional overlay, neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

91. C814-95-0002.10 - Four Points Centre PUD Amendment #10 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7013 and 7318 1/2 River Place Boulevard, 11120 and 11034 Four Points Drive (Bull Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) zoning, with additional conditions. Owner/Applicant: New TPG-Four Points, L.P. (Tom Paradise). City Staff: Sherri Sirwaitis, 974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for planned unit development (PUD) zoning, with additional conditions, was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. Council directed staff to include the following in the final ordinance:**

**The conditions are as follows:**

**Transportation Section language for ordinance:**

**"In accordance with Part 7 of Ordinance No. 960613-O, the Four Points Centre PUD is subject to the conditions of the Traffic Impact Analysis (TIA) prepared by Carter & Burgess, Inc., as revised in February 1998 by WHM Traffic Engineers Consultants, Inc., submitted in support of the Four Points Centre PUD zoning request, and on file at the City of Austin Planning and Development Review Department (or its successor). If the completed development or uses authorized by any**

proposed site plan or building permit, considered cumulatively with all existing or previously authorized development or uses of the Property, generates traffic exceeding 2,943 adjusted a.m. or p.m. peaking-hour trips (PHTs), then no site plan for development of the Property or any portion of the Property shall be approved or released, and no building permit for construction of a building on the Property shall be issued by the Planning and Development Review Department (or its successor). Any change in adjusted peak hour trips shall not be construed as a minor change and shall require an ordinance of the City to authorize such change.

The Four Points Centre PUD landowner and successors and its assigns may reallocate PHT's between the Four Points Centre PUD properties by providing the City of Austin Planning and Development Review Department (or its successor) with documentation of such reallocation. Reallocation will be effective upon receipt of such notice by the City of Austin. If reallocation is made, the Four Points Centre PUD TIA Allocation Table may thereafter be appropriately revised and approved administratively with any new site plan for development or site plan correction or site plan revision to an approved site plan for development. In no event will any reallocation be deemed to increase the development or traffic intensity of the PUD beyond 2,943 adjusted peak hour trips or as increased by an approved change in an ordinance by the Austin City Council.

No site plan for development of the Property or any portion of the Property shall be approved and released unless the following standard note is shown on any site plan for development of the Property:

The PUD TIA PHT Allocation Table summarizes allocation of PHT's from the PUD TIA, and any modifications of or additions thereto, as of November 1, 2011. The Four Points Centre PUD landowner and successors and its assigns may reallocate PHT's between PUD properties by providing the City of Austin Planning and Development Review Department (or its successor) with documentation of such reallocation. Reallocation will be effective upon receipt of such notice by the City of Austin. If reallocation is made, the PUD TIA Allocation Table may thereafter be appropriately revised and approved administratively with any new site plan for development or site plan correction or site plan revision to an approved site plan for development. In no event will any such reallocation be deemed to increase the development or traffic intensity of the PUD beyond 2,943 adjusted peak hour trips or as increased by an approved change in an ordinance by the Austin City Council."

92. C814-2009-0139.02 - Bull Creek PUD Amendment #2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 4909 FM 2222 (Bull Creek Watershed; Lake Austin Watershed) from planned unit development (PUD) and interim-Lake Austin (I-LA) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on November 15, 2011. Applicant: Booth Family Living Trust (David Booth). Agent: Armbrust & Brown, L.L.P. (David Armbrust). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to December 15, 2011 at the staff's request on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

93. C14-97-0102(RCT) - Dreyfus Rezoning - Conduct a public hearing to approve termination of a restrictive covenant for the property locally known as 1901 North Lamar Boulevard (Shoal Creek Watershed). Staff Recommendation: To terminate the restrictive covenant. Planning Commission Recommendation: To terminate the restrictive covenant. Applicant: Dreyfus Antiques Brocante (George Dreyfus). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Clark Patterson, 974-7691.

**The public hearing was conducted and the motion to close the public hearing and terminate the restrictive covenant was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**



94. C14-2011-0100 - Dreyfus Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901 North Lamar Boulevard (Shoal Creek Watershed) from neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to change a condition of zoning. Applicant: Dreyfus Antiques Brocante (George Dreyfus). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Clark Patterson, 974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20111110-094 for neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to change a condition of zoning, with the following additional wording to the public restrictive covenant, was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. The addition was, "The heritage tree located on the Lamar side of the existing building shall not be removed unless it is determined it meets the removal criteria under the environmental criteria manual."**
95. C14-2011-0050 - Burnet-Kramer Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11205 and 11301 Burnet Road (Walnut Creek Watershed; Shoal Creek Watershed) from North Burnet/Gateway-Transit Oriented Development (NBG-TOD) district zoning to North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning. Staff Recommendation: To grant North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning, with conditions. Owner/Applicant: IBM Corporation. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt on first reading the ordinance for North Burnet/Gateway-Commercial Mixed Use (NBG-CMU) district zoning, with conditions was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**
96. C14-2011-0075 - NYOS Charter School Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 820 West Yager Lane (Walnut Creek Watershed) from limited industrial service (LI) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Owner/Applicant: NYOS Charter School Inc. (Kathleen Zimmermann). City Staff: Sherri Sirwaitis, 974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20111110-096 for general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**
97. C14-2011-0079 - Wallen/Gamboa - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2315 East 8th Street (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP)

combining district zoning. Applicant: Rolling RDR Properties (Rick Wallen). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to December 8, 2011 at the staff's request on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

98. C14-2011-0098 - San Gabriel Liquor - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2408 San Gabriel Street (Waller Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Planning Commission Recommendation: To forward to the City Council without a recommendation. Applicant: Yates Living Trust, Koya Holdings & Louis Kowalski. Agent: The Faust Group (Bill Faust). City Staff: Clark Patterson, 974-7691.

**This item was postponed on consent to December 8, 2011 at the neighboring property owners request on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

99. C14-2011-0109 - Lamar Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4527 North Lamar Boulevard (Waller Creek Watershed) from unzoned (UNZ) to multi-family residence-highest density (MF-6) district zoning. Staff Recommendation: To grant multi-family residence-highest density (MF-6) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-highest density (MF-6) district zoning. Applicant: State of Texas (Hal Croft). Agent: Brown McCarroll, L.L.P. (Nikelle Meade). City Staff: Clark Patterson, 974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for multi-family residence-highest density (MF-6) district zoning with one additional condition was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote. The condition was the addition of an eighty foot height limitation.**

100. C14-2011-0112 - 6607 CS-1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6607 North IH 35 Service Road Northbound (Tannehill Branch Watershed; Buttermilk Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: WC 6607 North IH 35, LP (Nate Paul). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20111110-100 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

### ZONING DISCUSSION ITEMS

101. C14-2011-0113 - The Grand Hotel at Waller Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 608 E. Cesar Chavez Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Staff Recommendation: To approve central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment district-conditional overlay (CBD-CURE-CO) combining district zoning. Applicant: Manchester Texas Financial Group (Doug Manchester) Agent: Winstead, P.C. (Michele Haussmann). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for central business district-central urban redevelopment district-conditional overlay (CBD-CURE-CO) combining district zoning was approved on Council Member Martinez' motion, Council Member Riley's second on a 7-0 vote. There was a friendly amendment made by Mayor Pro Tem Cole to include the Austin Energy Green 2 Star Program. The amendment was not accepted by the maker of the motion. Mayor Pro Tem Cole withdrew her friendly amendment.

Mayor Leffingwell recessed the Council Meeting at 5:42 p.m.

#### LIVE MUSIC

Rebecca Loebe

#### PROCLAMATIONS

Proclamation -- National Hospice and Palliative Care Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Philip Woodall

Proclamation -- American Cancer Society's Great American Smoke Out -- to be presented by Mayor Lee Leffingwell and to be accepted by Carlos Rivera

Proclamation -- Pancreatic Cancer Awareness Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Greg Petrowicz

Proclamation -- Veterans Day -- to be presented by Mayor Lee Leffingwell and to be accepted by representatives of the 23rd Marines from Camp Mabry and the VFW

Certificate of Appreciation -- Mosak -- to be presented by Council Member Mike Martinez and to be accepted by Monique Threadgill

Certificate of Congratulations -- Austin Energy for Green Building Award -- to be presented by Council Member Chris Riley and to be accepted by Richard Morgan

Distinguished Service Awards -- Green Roof Advisory Group -- to be presented by Council Member Chris Riley and to be accepted by the honorees

Proclamation -- Omega Psi Phi Fraternity's 100th Anniversary -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Jimmy Earl

Mayor Leffingwell called the Council Meeting back to order at 7:03 p.m.

#### ZONING DISCUSSION ITEMS CONTINUED

102. C14-2011-0117 - Crestview Station Residential - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 950 Banyon Street (Waller Creek Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To approve transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning. Applicant: Continental Homes (Richard Maier) Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Clark Patterson, 974-7691.

There was a main motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to close the public hearing and adopt the first reading of the ordinance for transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning with the following conditions and friendly amendments. The conditions were to allow 10 feet height for fence, emergency, bike and pedestrian access to Morrow.

The friendly amendments from Council Member Morrison were to add a stipulation that the front door of the properties face Morrow and no auto access and limit driveway with emergency access to the minimum required feet. The amendment was accepted by the maker of the motion.

There was an amendment made by Council Member Spelman and seconded by Mayor Leffingwell to have the access on Morrow be offered on a right-in, right-out basis in the beginning for all vehicular traffic not just emergency traffic but restricted to emergency traffic if a traffic assessment of the actual amount of traffic coming in and going out of the entire development exceeds a 1,000 trips per day. Direction was given to the developer to offer a private restrictive covenant with the neighborhood as an enforcement mechanism. The amendment failed on a vote of 3-4. Those voting aye were: Mayor Leffingwell and Council Members Riley and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Members Martinez, Morrison and Tovo.

The friendly amendment from Council Member Riley was to allow bicycle pedestrian access parallel to the train tracks on the north and south ends. The amendment was accepted by the maker of the motion and by Council Member Morrison, who made the second.

The main motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to close the public hearing and adopt the first reading of the ordinance for transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning with the conditions and the friendly amendments stated above was approved on a 7-0 vote.

#### DISCUSSION ITEMS CONTINUED

11. Approve an ordinance setting the assessment rate and approving a proposed 2012 assessment roll for the Austin Downtown Public Improvement District (PID). Related to Items 12 & 74.  
**Ordinance No. 20111110-011 was approved on Council Member Martinez' motion, Council Member Riley's second on a 7-0 vote.**

#### **Items 13, 14 and 73 were acted on in a combined motion**

13. Approve an ordinance setting the assessment rate and proposed 2012 assessment roll for the E. 6th Street Public Improvement District (PID). Related to Items 14 & 73.  
**This item was postponed to December 8, 2011 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
14. Approve a resolution adopting the E. 6th Street Public Improvement District (PID) Service Plan and Budget for 2012. Related to Items 13 & 73.  
**This item was postponed to December 8, 2011 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**
73. Set a public hearing on the E. 6th Street Public Improvement District (PID) 2012 assessments. (Suggested date and time: December 8, 2011, 4:00p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items 13 & 14.  
**This item was postponed to December 8, 2011 on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**

15. Authorize negotiation and execution of Amendment No. 1 to the Agreement with the ENDING COMMUNITY HOMELESSNESS COALITION, INC., Austin, TX, to increase funding for Homeless Management Information System program management and extend the contract period from April 1, 2012 to September 30, 2012, said amendments being in an amount not to exceed \$82,000, for a total contract amount not to exceed \$117,000, with two 12-month renewal options in an amount not to exceed \$100,000 per option, for a total contract amount not to exceed \$317,000.  
**The motion authorizing the negotiation and execution of amendment number one to the agreement with the Ending Community Homelessness Coalition, Inc. was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
17. Approve an ordinance authorizing the acceptance of \$88,598 in grant funds from the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, HOMELESS HOUSING AND SERVICES PROGRAM; and amending the Fiscal Year 2011-2012 Health and Human Services Department Operating Budget Special Revenue Fund of (Ordinance No. 20110912-005) to appropriate \$88,598 for the delivery of homeless services.  
**Ordinance No. 20111110-017 was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.**
40. Authorize award and execution of a contract through THE COOPERATIVE PURCHASING NETWORK (TCPN) with KELLOGG BROWN & ROOT, INC., Austin, TX, for the installation of a solar photovoltaic system at the City of Austin's George Washington Carver Museum and Library in an estimated amount not to exceed \$346,410.  
**The motion authorizing the award and execution of a contract through the Cooperative Purchasing Network with Kellogg Brown & Root, Inc. was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**

#### **PUBLIC HEARINGS AND POSSIBLE ACTION**

106. Conduct a public hearing in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution authorizing the use of the Town Lake Animal Center site at 1156 West Cesar Chavez, Austin, Texas, which is located on dedicated parkland known as Lamar Beach at Town Lake Park, for animal adoption purposes in connection with the City of Austin's No Kill Implementation Plan, for a period not to exceed 18 months.  
**The public hearing was conducted and the motion to close the public hearing and approve Resolution No. 20111110-106 was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

22. Approve an ordinance authorizing the City Manager to execute a temporary license agreement with Austin Pets Alive (APA) permitting APA to temporarily occupy and operate the Town Lake Animal Center, located at 1156 West Cesar Chavez, Austin, Texas, for a period of 12 months with one 6-month extension option while the City transitions its animal shelter operations to the new Austin Animal Center, and waiving Chapter 14-11 (Use of Right-of-Way), Article 1, Division 3, Sections 14-11-42 and 14-11-43 for purposes of the temporary license agreement with APA.  
**Ordinance No. 20111110-022 with the following amendments was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.**  
**The amendments to the temporary license agreement were:**

**Section 2.0 should read, "License Term. The primary term of this Agreement (the "Primary Term") shall commence on November 10, 2011 (the "Commencement Date") and shall terminate on November 9, 2012 unless terminated earlier according to the terms of this Agreement. APA will have the right to extend the Primary Term for one (1) six (6) month period (the "Extension Term,"**

which, together with the Primary Term is hereinafter collectively called the "Term"). To exercise the Extension Term, APA must give written notice of its election to exercise the Extension Term to the City at least ninety (90) days before the expiration of the Primary Term and APA must not be in default of this Agreement at the time the notice is given or at the time the Extension Term becomes effective. Each Party may terminate this Agreement at any time upon ninety (90) days' written notice to the other party. If APA remains on the Premises without the City's written consent after the expiration of the Term, APA's continued occupancy will not be deemed to extend or renew the Term, and during the period of continuing occupancy, a license fee payable by APA to the City will accrue at the rate of One Thousand Five Hundred and No/100 Dollars (\$1,500.0) per week. The acceptance of the license fee from APA does not constitute the City's consent to APA's continued occupancy of the Premises after the expiration of the Term."

Section 7.1 should read, "Only animals sourced by AAS may be housed on the Premises."

Section 7.2 should read, "AAS will provide APA with a list of animals most at risk for euthanasia each day (the "At-Risk List"). APA may select from the At-Risk List the animals it desires to house on the Premises; provided, however APA must select a sufficient number of dogs from the At-Risk List to maintain a daily average inventory on the Premises of at least thirty (30) dogs (the "Minimum Daily Dog Inventory"). Once an animal has been selected from the At-Risk List by APA, APA may not return the animal to AAS; provided, however, if an animal selected from the At-Risk list by APA subsequently becomes a poor adoption candidate due to the deterioration of the health or behavior of the animal, APA and AAS will collaborate in good faith to assess the condition of the animal in question, and if AAS and APA mutually agree that the best course of action is to return the animal to the custody of AAS, APA may return the animal to AAS."

Section 7.3 should read, "The animal inventory on the Premises may not fall below the Minimum Daily Dog Inventory or exceed a daily average inventory of 60 dogs and 50 cats the "Maximum Animal Inventory") without the prior written consent of AAS's Chief Animal Services Officer. The Maximum Animal Inventory must be reduced by the twelfth (12<sup>th</sup>) month of the Primary Term to a number of animals to be reasonably determined by AAS. If APA exercises its option for the Extension Term, AAS will provide a revised Maximum Animal Inventory for APA during the Extension Term."

Section 8.1 should read, "The City recognizes that having a diverse mixture of animals available for adoption is an important component of a successful adoption program. Accordingly, AAS will cooperate reasonably with APA to make available to APA a mix of both at-risk and non-at-risk animals in an effort to increase the likelihood of adoption of the animals housed by APA on the Premises."

52. Approve an ordinance amending Chapter 2-7, Article 6 of the City Code relating to anti-lobbying and procurement.

Ordinance No. 20111110-052 was approved with the following amendments on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

The recommended amendments from the Ethics Review Commission adopted by Council are:

Section 2-7-103 of the code should read,

"(1) A current employee, director, officer, or member of a respondent, or a person related within the first degree of consanguinity or affinity to a current employee, director, officer or member of a respondent, is presumed to be an agent of the respondent for purposes of making a representation. This presumption is rebuttable by a preponderance of the evidence as determined by the purchasing officer or director."

(J) A respondent's representative is a person or entity acting on a respondent's behalf with the respondent's request and consent. For example, a respondent may email their membership list and ask members to contact council members on the respondent's behalf. The members are then acting per respondent's request and with their consent, and the members have become respondent representatives."

Section 2-7-104 should read,

"(E) A respondent may ask a purely procedural question, for example a question regarding the time or location of an event, or where information may be obtained, of a City employee other than the authorized contact person. This section does not permit a respondent to make suggestions or complaints about the contract process that constitute a representation to a City employee other than the authorized contact person. Notwithstanding this subsection, a respondent may not ask a procedural question of a councilmember, a councilmember's aide, or of a City board member except in a meeting held under the Texas Government Code, Chapter 551 (Open Meetings Act)."

Section 2-7-102 should read,

"(E) Unless this Article is invoked by Council, this article does not apply to an opportunity to compete for City social service funding; City cultural arts funding; federal, state and City block grant funding; and the sale or rental of real property."

69. Approve a resolution directing the City Manager to prepare recommendations and provide funding strategies for an interlocal agreement with Austin Travis County Integral Care (ATCIC) in order to support additional mental health services from ATCIC. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez )  
**Resolution No. 20111110-069 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.**

#### PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED

103. Conduct a public hearing for the full purpose annexation of the Northridge Park Section 2 (approximately 97 acres in Travis County at the northeast corner of the intersection of Manor Road and Old Manor Road).  
**The public hearing was conducted and the motion to close the public hearing was approved on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.**
104. Conduct a public hearing for the full purpose annexation of the Burleson-Felter (approximately 97 acres in Travis County south of Burleson Road approximately 1,100 feet west of the intersection of Burleson Road and McKinney Falls Parkway).  
**The public hearing was conducted and the motion to close the public hearing was approved on Mayor Pro Tem Cole's motion, Council Member Riley's second on a 7-0 vote.**
105. Conduct a public hearing for the full purpose annexation of the Ribelin Ranch Preserve (approximately 542 acres in Travis County north of FM 2222 approximately 900 feet north of the intersection of FM 2222 and McNeil Drive).  
**The public hearing was conducted and the motion to close the public hearing was approved on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote.**
107. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to amend the Limited Office (LO) base zoning district to make the Personal Services land use a conditional use in this district.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20111110-107 with the following amendment was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote. The amendment was, Section**

25-2-588(B) should read, "A personal service use may not exceed 1,000 square feet of gross floor area."

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Spelman's motion, Council Member Tovo's second on a 7-0 vote.

**DISCUSSION ITEM CONTINUED**

53. Authorize award, negotiation, and execution of a 5-year revenue concession contract with AUSTIN ROWING CLUB, Austin, TX, to RFP No. CB30017, for the management and operation of a boathouse on Lady Bird Lake with an estimated revenue of \$732,713 and one 2-year option with an estimated revenue of \$489,599 for a total estimated revenue of \$1,222,312.

The motion authorizing the negotiation of a revenue concession contract with Austin Rowing Club with direction was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to discuss during negotiation the parking issues brought forward by the Mexican American Culture Center and to collaborate with other organizations such as Waller Creek Conservancy, the Parks Department and the Parks Board in researching best practices throughout the country.

Mayor Leffingwell adjourned the meeting at 10:33 p.m. without objection.

The minutes for the regular meeting of November 10, 2011 were approved on this the 8th day of December 2011 on Council Member Cole's motion, Council Member Spelman's second on a 7-0 vote.